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123-02  
M

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OLIFF & BERRIDGE, PLC  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

Customer Number: 25944

Director of the U.S. Patent  
and Trademark Office  
Washington, D.C. 20231

Sir:

Transmitted herewith under 37 C.F.R. §1.53(d) is a request for filing a

Continuation       Divisional

continued prosecution application of prior pending Application No. 09/402,131, filed December 8, 1999,

For (Title): RNA-DEPENDENT RNA POLYMERASE FUNCTIONING PREFERABLY ON RNA  
MATRIX AND PROMOTER-DEPENDENT TRANSCRIPTION PROCESS WITH SAID  
RNA-DEPENDENT RNA POLYMERASE

(Amended Title):

By (Inventors): Valérie CHEYNET-SAUVION; Nadége ARNAUD-BARBE; Guy ORIOL; William  
McALLISTER; Bernard MANDRAND; and Francois MALLET

1.  Abandon said prior application as of the filing date accorded this application.

2.  The filing fee is calculated below:

CLAIMS REMAINING IN THE APPLICATION AFTER  
ENTRY OF ANY PRELIMINARY AMENDMENT OR  
AMENDMENT UNDER 37 C.F.R. §1.116 NOTED BELOW

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	34 - 20	= 14
INDEP CLAIMS	3 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

\* If the difference is less than zero, enter "0".

SMALL ENTITY

RATE	FEES
	\$ 370
x 9 =	\$
x 42 =	\$
+ 140 =	\$
TOTAL	\$

OTHER THAN A  
SMALL ENTITY

OR	RATE	FEES
OR		\$ 740
OR	x 18	\$ 252
OR	x 84	\$
OR	+ 280	\$
OR	TOTAL	\$ 992

3.  Check No. 126893 in the amount of \$992 to cover the filing fee is attached. The Director is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.

DEPOSIT ACCOUNT USE AUTORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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01/17/2002 CCHAU1 00000178 09402131

02 FC:131 740.00 OP  
03 FC:103 252.00 OP

01/17/2002 CCHAU1 00000178 09402131

04 FC:122 130.00 OP

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JAN 22 2002  
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CONTINUED PROSECUTION APPLICATION TRANSMITTAL  
RULE 1.53(d)

BOX CPA

4.  Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. At least one independent claim is retained for filing purposes.

5.  Please enter in the present application the Amendment Under 37 CFR §1.116 with any attachments filed on \_\_\_\_\_ in said prior application, which was not entered therein.

6.  Please suspend action on this CPA application for three months under 37 C.F.R. §1.103(b). Check no. 126892 in the amount of \$130.00 to cover the suspension fee is attached.

7.  This application is filed by fewer than all the inventors named in the prior application (37 C.F.R. §1.53(d)(4)). Delete the following inventor(s) named in the prior application:  
\_\_\_\_\_  
\_\_\_\_\_

8.  A Preliminary Amendment is enclosed. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.

9.  An Information Disclosure Statement is attached.

10.  Small entity status:  
 a. Entitlement to small entity status is hereby asserted.  
 b. Small entity status is no longer claimed.

11.  Other: Submission of Substitute Declaration/Power of Attorney in response to the Final Rejection mailed July 17, 2001.

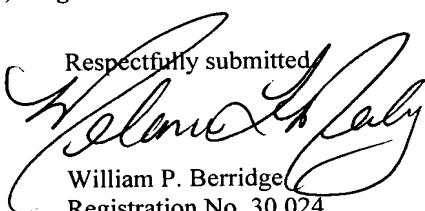
12.  This application is NOT to be published under 35 U.S.C. 112(b). The undersigned attorney or agent hereby certifies that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

13.  The power of attorney in the prior application is to James A. Oliff, Registration No. 27,075, William P. Berridge, Registration No. 30,024, Kirk M. Hudson, Registration No. 27,562, Thomas J. Pardini, Registration No. 30,411, Edward P. Walker, Registration No. 31,450, Robert A. Miller, Registration No. 32,771, Mario A. Costantino, Registration No. 33,565, Stephen J. Roe, Registration No. 34,463, Joel S. Armstrong, Registration No. 36,430, Christopher W. Brown, Registration No. 38,025, Richard E. Rice, Registration No. 31,560, and/or Paul Tsou, Registration No. 37,956.

14.  Address all future communications to:

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**

Respectfully submitted,

  
William P. Berridge  
Registration No. 30,024

Melanie L. Mealy  
Registration No. 40,085



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Valérie CHEYNET-SAUVION; Nedége ARNAUD-BARBE; Guy ORIOL; William MCALLISTER; Bernard MANDRAND; and Francois MALLET

Group Art Unit: 1655

Application No.: 09/402,131

Examiner: B. Sisson

Filed: December 8, 1999

Docket No.: 104458

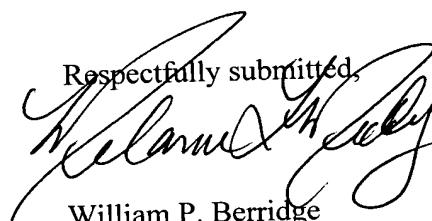
For: RNA-DEPENDENT RNA POLYMERASE FUNCTIONING PREFERABLY ON RNA MATRIX AND PROMOTER-DEPENDENT TRANSCRIPTION PROCESS WITH SAID RNA-DEPENDENT RNA POLYMERASE

**SUBMISSION OF SUBSTITUTE DECLARATION**

Director of the U.S. Patent and Trademark Office  
Washington, D. C. 20231

Sir:

Submitted herewith is a fully executed Substitute Declaration of the Inventors. Entry of this document should resolve any informalities in the original Declaration. It is respectfully submitted that no additional fees are required for the substitute Declaration. However, the Director is hereby authorized to charge any additional fee associated with this communication to deposit account number 15-0461.

Respectfully submitted,  
  
William P. Berridge  
Registration No. 30,024

Melanie L. Mealy  
Registration No. 40,085

WPB:MLM/jam

Date: January 16, 2002

**OLIFF & BERRIDGE, PLC**  
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